

Panaji, 25th November, 2008 (Agrahayana 4, 1930)

SERIES III No. 34

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

### EXTRAORDINARY

#### GOVERNMENT OF GOA

Department of Home  
Home—General Division

Office of the Collector and District Election Officer,  
North Goa District, Panaji-Goa

#### Order

No. 47/1/MAG/Pale-ELN/08

#### Under Section 144 of the Code of Criminal Procedure, 1973

Whereas, Election Commission of India has announced the schedule for Bye Election to State Legislative Assembly, 17-Pale 2008 and the Model Code of Conduct for the Bye Election is already in force from 22-10-2008, which applies to the whole State of Goa, and;

Whereas, Election Commission of India has issued instructions with regards to the preventive measures for Bye Election to the Goa State Legislative Assembly, 17-Pale 2008 to be taken by the District Magistrates in order to maintain Law & Order and create a peaceful, conducive environment for free and fair polls in the State, and;

Whereas, it has been brought to the notice that in the past, many candidates were using the business/commercial premises and party/candidate offices situated within 200 mts. of the polling booth for campaigning purposes despite the instructions of the Election Commission of India and provisions of the Representation of People Act, 1951 by which no campaigning/canvassing is allowed in the period of 48 hrs. preceding the close of polls i.e. from 17.00hrs. on 26-11-2008 till the close of poll on poll day, and;

Whereas, it is apprehended, from inputs received from Police authorities and other sources that the business/commercial premises and party/candidate offices situated within 200 mts. of the polling booth may be

utilized by the candidates for the purpose of canvassing/influencing the voters which may also create Law & Order situation and hamper the smooth process of polling at the Polling Booths, and;

Whereas, in my considered opinion, there is sufficient ground for exercising the powers vested in me under Sub-section (1) of section 144 of Criminal Procedure Code, 1973 to impose restrictions on operations of business/commercial premises like shops, restaurants, hotels, eateries, etc and party/candidate offices located within 200 mts. from all the Polling Booths located within the North Goa District in order to ensure free, fair and peaceful conduct of polling process, and;

Whereas, I am satisfied that the circumstances do not admit of serving in due time of the notices individually upon the persons against whom this order is directed;

Now, therefore, I, R. Mihir Vardhan, District Magistrate, North Goa District, Panaji in exercise of powers vested in me under Section 144 of Cr. PC. 1973 do hereby direct the owners/proprietors/managers/partners, etc of all the business/commercial establishments like shops, restaurants, hotels, eateries, etc and party/candidate offices located within 200 mts. from any Pale Constituency Polling Station in the North Goa District to close their premises for a period from 07.00hrs. to 19.00 hrs. on 26-11-2008.

However, the above instructions shall not apply to the establishments pertaining to essential services which includes inter-alia, medical stores, dispensary, milk booth, hospitals, clinics, etc. located within 200 mts. of the polling booth.

Given under my hand and seal of this office, on this 24th November, 2008.

*R. Mihir Vardhan,*  
Collector & District Magistrate,  
North Goa District, Panaji-Goa.

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